

REMARKS

By this Amendment, Claims 16, 35 and 50 are amended and claims 65-68 are added. Thus, Claims 1-68 are pending in the application. Support for the amendment to claims 35 and 50 and the addition of new claims 65-68 is found in the specification and drawings, for example, on page 10, line 18 through page 11, line 1. No new matter is added. The drawings are also amended to correct errors noted in the "Notice of Draftperson's Patent Drawing Review" PTO-948. If the Examiner feels that an interview would facilitate prosecution of the application, the Examiner is kindly invited to contact the undersigned Attorney at (402) 496-0300.

Claim Rejections – 35 USC § 102

The Patent Office rejected claims 1-64 under 35 U.S.C. § 102(e) as being anticipated by Bowman-Amuah, U.S. Patent No. 6,578,068 (Bowman-Amuah). Applicant believes that the present invention can be distinguished from the Bowman-Amuah reference for at least the following reasons. However, if necessary, Applicant reserves the right to establish prior inventorship via an affidavit or declaration under 37 C.F.R. § 1.131.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Bowman-Amuah fails to disclose, teach or suggest a system, method or program of instructions for enabling a function of an information handling system from a central system via a communication link by requesting authentication from the central system and "upon receipt of the authentication from the central system, *enabling the function to be performed independent of the communication link with the central system*" as claimed in independent claims 1, 20, 35 and 50 (emphasis added). Instead, Bowman-Amuah discloses that

Authentication services verify network access requests by validating that users are who they claim to be. For secure systems, one or more authentication mechanisms can be used to validate authorized users and to verify which functions and data they have access to. Within the corporate network, authentication services are often included in directory services

products like Novell's NDS. NDS requires the user to have an established account and supply a password before access is granted to resources through the directory.

Authentication for accessing resources across an Internet or intranet is not as simple and is a rapidly evolving area. When building e-commerce Web sites there may be a need to restrict access to areas of information and functionality to known customers or trading partners. More granular authentication is required where sensitive individual customer account information must be protected from other customers.

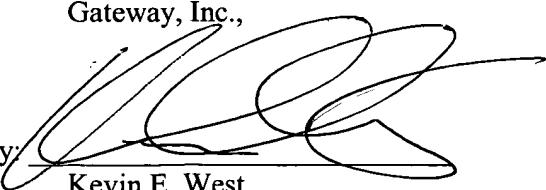
Bowman-Amuah, Column 82, lines 51-67. Thus, Bowman-Amuah teaches the use of authentication to allow access to resources within a central system or server and not to enable an information handling system to perform functions *independent of the communication link with the central system* as presently claimed. Moreover, new dependent claims 65-67 further recite ending the communication between the information handling system and the central system prior to performing the function which is not possible with the system disclosed by Bowman-Amuah.

Accordingly, it is respectfully submitted that Bowman-Amuah fails to anticipate the invention presently claimed in claims 1-68. Withdrawal of the rejection of claims 1-64 under 35 U.S.C. § 102(e) and allowance of claims 1-68 is therefore earnestly requested.

CONCLUSION

The application is respectfully submitted to be in condition for allowance of all claims. Accordingly, notification to that effect is earnestly solicited.

Respectfully submitted,
Gateway, Inc.,

By: 
Kevin E. West
Reg. No. 43,983

Dated: January 7, 2004

Kevin E. West
SUTER • WEST PC LLO
14301 FNB Parkway, Suite 220
Omaha, NE 68154
(402) 496-0300 Telephone
(402) 496-0333 Facsimile